

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>RUTH SMITH, Individually and as Widow</b>	)	
<b>for the Use and Benefit of Herself and the</b>	)	
<b>Next of Kin of RICHARD SMITH, Deceased,</b>	)	<b>Case #: 3:05-00444</b>
	)	<b>Judge Trauger</b>
<b>Plaintiff,</b>	)	
	)	
<b>-against-</b>	)	
	)	
<b>PFIZER INC., PARKE-DAVIS,</b>	)	
<b>a division of Warner-Lambert Company</b>	)	
<b>and Warner-Lambert Company LLC,</b>	)	
<b>WARNER-LAMBERT COMPANY,</b>	)	
<b>WARNER-LAMBERT COMPANY LLC and</b>	)	
<b>JOHN DOE(S) 1-10,</b>	)	
	)	
<b>Defendants.</b>	)	

**PLAINTIFF'S MOTION *IN LIMINE* TO EXCLUDE  
THE TESTIMONY OF SHEILA WEISS SMITH, Ph.D.**

Plaintiff Ruth Smith, as the Widow for the use and benefit of herself and the next of kin of Richard Smith, deceased, by and through her undersigned counsel, respectfully requests an order excluding the testimony Sheila Weiss Smith, Ph.D.

This Motion is supported by the Memorandum in Support, and the Declaration of Kenneth B. Fromson, Esq. and exhibits annexed thereto, submitted herewith.

Dated: April 16, 2010

Respectfully submitted,

THE LANIER LAW FIRM, P.L.L.C.

By: /s/ W. Mark Lanier  
W. Mark Lanier, Esq.  
Dara G. Hegar, Esq.  
Ken S. Soh, Esq.  
Maura Kolb, Esq.  
Robert Leone, Esq.  
126 East 56th Street, 6th Floor  
New York, NY 10022

- and -

FINKELSTEIN & PARTNERS, LLP

By: /s/ Andrew G. Finkelstein  
Andrew G. Finkelstein, Esq.  
Kenneth B. Fromson, Esq.  
1279 Route 300, P.O. Box 1111  
Newburgh, NY 12551

- and -

BARRETT & ASSOCIATES, P.A.

By: /s/ Charles F. Barrett  
Charles F. Barrett, Esq.  
BPR # 020627  
6518 Highway 100, Suite 210  
Nashville, TN 37205

*Attorneys for Plaintiff Ruth Smith*

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 16th day of April, 2010, I electronically filed the foregoing document with the Clerk of the Court, United States District Court for the Middle District of Tennessee, using the CM/ECF system. True and correct copies of the foregoing documents are being served via the Court's CM/ECF system on the following:

Aubrey B. Harwell, Jr., Esq.  
W. David Bridgers, Esq.  
Gerald D. Neenan, Esq.  
Robert A. Peal, Esq.  
Neal & Harwell, PLC  
2000 One Nashville Place  
150 Fourth Avenue, North  
Nashville, TN 37219

Prince C. Chambliss, Jr., Esq.  
Evans & Petree, PC  
1000 Ridgeway Loop Road, Suite 200  
Memphis, TN 38120

Mark S. Cheffo, Esq.  
Catherine B. Stevens, Esq.  
Skadden, Arps, Slate, Meagher & Flom LLP  
Four Times Square  
New York, NY 10036

**/s/ Kenneth B. Fromson**  
Kenneth B. Fromson